



General Assembly

February Session, 2018

Raised Bill No. 5449

LCO No. 2272



Referred to Committee on EDUCATION

Introduced by:
(ED)

AN ACT CONCERNING THE ALIGNMENT AND MERGING OF EARLY CARE AND EDUCATION PROGRAM FUNDING STREAMS, ELIGIBILITY, RATES AND POLICIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 10-500 of the 2018 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2018*):

4 (b) The office shall be responsible for:

5 (1) The delivery of services to young children and their families to
6 ensure optimal health, safety and learning for each young child;

7 (2) Developing and implementing the early childhood information
8 system, in accordance with the provisions of section 10-501;

9 (3) Developing and reporting on the early childhood accountability
10 plan, in accordance with the provisions of section 10-503;

11 (4) Implementing a communications strategy for outreach to

12 families, service providers and policymakers;

13 (5) Not later than September 1, 2014, beginning a state-wide
14 longitudinal evaluation of the school readiness program examining the
15 educational progress of children from prekindergarten programs to
16 grade four, inclusive;

17 (6) Developing, coordinating and supporting public and private
18 partnerships to aid early childhood initiatives;

19 (7) Developing a state-wide developmentally appropriate
20 kindergarten entrance inventory that measures a child's level of
21 preparedness for kindergarten, but shall not be used as a measurement
22 tool for program accountability;

23 (8) Creating a unified set of reporting requirements for the purpose
24 of collecting the data elements necessary to perform quality
25 assessments and longitudinal analysis;

26 (9) Comparing and analyzing data collected pursuant to reporting
27 requirements created under subdivision (8) of this subsection with the
28 data collected in the state-wide public school information system,
29 pursuant to section 10-10a, for population-level analysis of children
30 and families;

31 (10) Continually monitoring and evaluating all early care and
32 education and child development programs and services, focusing on
33 program outcomes in satisfying the health, safety, developmental and
34 educational needs of all children, while retaining distinct separation
35 between quality improvement services and licensing services for child
36 care centers, group child care homes and family child care homes;

37 (11) Coordinating home visitation services across programs for
38 young children;

39 (12) Providing information and technical assistance to persons
40 seeking early care and education and child development programs and
41 services;

42 (13) Assisting state agencies and municipalities in obtaining
43 available federal funding for early care and education and child
44 development programs and services;

45 (14) Providing technical assistance to providers of early care and
46 education programs and services to obtain licensing and improve
47 program quality;

48 (15) Establishing a quality rating and improvement system
49 developed by the office that covers home-based, center-based and
50 school-based early child care and learning;

51 (16) Maintaining an accreditation facilitation initiative to assist early
52 childhood care and education program and service providers in
53 achieving national standards and program improvement;

54 (17) Consulting with the Early Childhood Cabinet, established
55 pursuant to section 10-16z, and the Head Start advisory committee,
56 established pursuant to section 10-16n;

57 (18) Ensuring a coordinated and comprehensive state-wide system
58 of professional development for providers and staff of early care and
59 education and child development programs and services;

60 (19) Providing families with opportunities for choice in services
61 including quality child care and community-based family-centered
62 services;

63 (20) Integrating early childhood care and education and special
64 education services;

65 (21) Promoting universal access to early childhood care and
66 education;

67 (22) Ensuring nonduplication of monitoring and evaluation;

68 (23) Performing any other activities that will assist in the provision
69 of early care and education and child development programs and

70 services;

71 (24) Developing early learning and development standards to be
72 used by early care and education providers; [and]

73 (25) Developing and implementing a performance-based evaluation
74 system to evaluate licensed child care centers, in accordance with the
75 provisions of section 17b-749f; [.] and

76 (26) Promoting the delivery of services to infants and toddlers to
77 ensure optimal health, safety and learning of children from birth to
78 three years of age.

79 Sec. 2. (NEW) (*Effective July 1, 2018*) (a) The Office of Early
80 Childhood may expend an amount not to exceed two per cent of the
81 total amount appropriated to the office for the following programs:
82 The child care subsidy program, established pursuant to section 17b-
83 749 of the general statutes, as amended by this act, the school readiness
84 program, as defined in section 10-16p of the general statutes, as
85 amended by this act, the supplemental quality enhancement grant
86 program, established pursuant to section 17b-749c of the general
87 statutes, as amended by this act, and the Nurturing Families Network,
88 established pursuant to section 17b-751b of the general statutes, as
89 amended by this act, the program for state financial assistance for child
90 care centers, pursuant to section 8-210 of the general statutes, as
91 amended by this act, for purposes of carrying out its responsibilities
92 pursuant to section 10-500 of the general statutes, as amended by this
93 act, including, but not limited to, program evaluation and
94 improvement, interagency coordination and collaboration, and
95 infrastructure evaluation.

96 (b) Not later than January first of each year, the office shall submit a
97 report, in accordance with the provisions of section 11-4a of the general
98 statutes, relating to how the office has expended the funds described in
99 subsection (a) of this section, including the results of any evaluations
100 conducted, to the joint standing committee of the General Assembly
101 having cognizance of matters relating to education.

102 Sec. 3. Section 17b-749 of the general statutes is repealed and the
103 following is substituted in lieu thereof (*Effective July 1, 2018*):

104 (a) The Commissioner of Early Childhood shall establish and
105 operate a child care subsidy program to increase the availability,
106 affordability and quality of child care services for families with a
107 parent or caretaker who (1) is working or attending high school, or (2)
108 receives cash assistance under the temporary family assistance
109 program from the Department of Social Services and is participating in
110 an education, training or other job preparation activity approved
111 pursuant to subsection (b) of section 17b-688i or subsection (b) of
112 section 17b-689d. Services available under the child care subsidy
113 program shall include the provision of child care subsidies for children
114 under the age of thirteen or children under the age of nineteen with
115 special needs. The Office of Early Childhood shall open and maintain
116 enrollment for the child care subsidy program and shall administer
117 such program within the existing budgetary resources available. The
118 office shall issue a notice on the office's Internet web site any time the
119 office closes the program to new applications, changes eligibility
120 requirements, changes program benefits or makes any other change to
121 the program's status or terms, except the office shall not be required to
122 issue such notice when the office expands program eligibility. Any
123 change in the office's acceptance of new applications, eligibility
124 requirements, program benefits or any other change to the program's
125 status or terms for which the office is required to give notice pursuant
126 to this subsection, shall not be effective until thirty days after the office
127 issues such notice.

128 (b) The commissioner shall establish income standards for
129 applicants and recipients at a level to include a family with gross
130 income up to fifty per cent of the state-wide median income, except the
131 commissioner (1) may increase the income level to up to seventy-five
132 per cent of the state-wide median income, (2) upon the request of the
133 Commissioner of Children and Families, may waive the income
134 standards for adoptive families so that children adopted on or after
135 October 1, 1999, from the Department of Children and Families are

136 eligible for the child care subsidy program, and (3) on and after March
137 1, 2003, shall reduce the income eligibility level to up to fifty-five per
138 cent of the state-wide median income for applicants and recipients
139 who qualify based on their loss of eligibility for temporary family
140 assistance. The commissioner may adopt regulations in accordance
141 with chapter 54 to establish income criteria and durational
142 requirements for such waiver of income standards.

143 (c) The commissioner, in consultation with the Commissioner of
144 Social Services, shall establish eligibility and program standards
145 including, but not limited to: (1) A priority intake and eligibility
146 system with preference given to serving (A) recipients of temporary
147 family assistance who are employed or engaged in employment
148 activities under the Department of Social Services' "Jobs First"
149 program, (B) working families whose temporary family assistance was
150 discontinued not more than five years prior to the date of application
151 for the child care subsidy program, (C) teen parents, (D) low-income
152 working families, (E) adoptive families of children who were adopted
153 from the Department of Children and Families and who are granted a
154 waiver of income standards under subdivision (2) of subsection (b) of
155 this section, (F) working families who are at risk of welfare
156 dependency, and (G) any household with a child or children
157 participating in the Early Head Start-Child Care Partnership federal
158 grant program for a period of up to twelve months based on Early
159 Head Start eligibility criteria; (2) health and safety standards for child
160 care providers not required to be licensed; (3) a reimbursement system
161 for child care services which account for differences in the age of the
162 child, number of children in the family, the geographic region and type
163 of care provided by licensed and unlicensed caregivers, the cost and
164 type of services provided by licensed and unlicensed caregivers,
165 successful completion of fifteen hours of annual in-service training or
166 credentialing of child care directors and administrators, and program
167 accreditation; (4) supplemental payment for special needs of the child
168 and extended nontraditional hours; (5) an annual rate review process
169 for providers which assures that reimbursement rates are maintained

170 at levels which permit equal access to a variety of child care settings;
 171 (6) a sliding reimbursement scale for participating families; (7) an
 172 administrative appeals process; (8) an administrative hearing process
 173 to adjudicate cases of alleged fraud and abuse and to impose sanctions
 174 and recover overpayments; (9) an extended period of program and
 175 payment eligibility when a parent who is receiving a child care
 176 subsidy experiences a temporary interruption in employment or other
 177 approved activity; and (10) a waiting list for the child care subsidy
 178 program that (A) prioritizes within and across existing priority groups,
 179 including, but not limited to, children described in 45 CFR 98.46, as
 180 amended from time to time, and households with an infant or toddler,
 181 and (B) reflects the priority and eligibility system set forth in
 182 subdivision (1) of this subsection, which is reviewed periodically, with
 183 the inclusion of this information in the annual report required to be
 184 issued annually by the office to the Governor and the General
 185 Assembly in accordance with section 17b-733. Such action will include,
 186 but not be limited to, family income, age of child, region of state and
 187 length of time on such waiting list.

188 (d) Not later than July 1, 2015, an applicant determined to be eligible
 189 for program benefits by the Commissioner of Early Childhood shall
 190 remain eligible for such benefits for a period prescribed by federal law.

191 (e) Within available appropriations, a recipient of program benefits
 192 who takes unpaid leave from such recipient's employment due to the
 193 birth or impending birth of a child shall be granted not more than six
 194 weeks of payment eligibility during the leave if: (1) The recipient
 195 intends to return to work at the end of the unpaid leave; (2) the
 196 recipient verifies that eligibility is needed to prevent the loss of a slot
 197 in a school-based program or licensed child care setting; and (3) the
 198 child receiving child care services under the program continues to
 199 attend the program during the recipient's leave.

200 (f) A provider under the child care subsidy program that qualifies
 201 for eligibility and subsequently receives payment for child care
 202 services for recipients under this section shall be reimbursed for such

203 services until informed by the office of the recipient's ineligibility.

204 (g) All licensed child care providers and those providers exempt
205 from licensing shall provide the office with the following information
206 in order to maintain eligibility for reimbursement: (1) The name,
207 address, appropriate identification, Social Security number and
208 telephone number of the provider and all adults who work for or
209 reside at the location where care is provided; (2) the name and address
210 of the child's doctor, primary care provider and health insurance
211 company; (3) whether the child is immunized and has had health
212 screens pursuant to the federal Early and Periodic Screening,
213 Diagnostic and Treatment Services Program under 42 USC 1396d; and
214 (4) the number of children cared for by the provider.

215 (h) On or after July 1, 2014, the commissioner shall adopt
216 regulations, in accordance with the provisions of chapter 54, to
217 implement the provisions of this section.

218 (i) The commissioner shall submit to the joint standing committees
219 of the General Assembly having cognizance of matters relating to
220 human services and appropriations and the budgets of state agencies a
221 copy of the Child Care and Development Fund Plan that the
222 commissioner submits to the Administration for Children and Families
223 pursuant to federal law. The copy of the plan shall be submitted to the
224 committees not later than thirty days after submission of the plan to
225 the Administration for Children and Families.

226 (j) The commissioner may expend an amount not to exceed two per
227 cent of the amount appropriated for purposes of this section in a
228 manner consistent with the provisions of section 2 of this act.

229 Sec. 4. Subsection (k) of section 10-16p of the 2018 supplement to the
230 general statutes is repealed and the following is substituted in lieu
231 thereof (*Effective July 1, 2018*):

232 (k) (1) Up to two per cent of the amount of the appropriation for this
233 section may be allocated to the competitive grant program pursuant to

234 subsection (d) of this section. The determination of the amount of such
235 allocation shall be made on or before August first.

236 (2) Up to two per cent of the amount of the appropriation for this
237 section may be used by the commissioner in a manner consistent with
238 the provisions of section 2 of this act.

239 Sec. 5. Section 17b-749c of the general statutes is repealed and the
240 following is substituted in lieu thereof (*Effective July 1, 2018*):

241 (a) The Commissioner of Early Childhood shall establish a program,
242 within available appropriations, to provide, on a competitive basis,
243 supplemental quality enhancement grants to child care centers or
244 school readiness programs pursuant to section 10-16p, as amended by
245 this act, and section 10-16u. Child care centers and school readiness
246 programs may apply for a supplemental quality enhancement grant at
247 such time and on such form as the commissioner prescribes. Effective
248 July 1, 2014, the commissioner shall make funds payable to child care
249 centers and school readiness programs under such grants on a
250 prospective basis.

251 (b) Priority for such grants shall be given to programs that are: (1)
252 Included in a local school readiness plan; (2) full-day, year-round
253 programs; and (3) accredited, as defined in subdivision (4) of
254 subsection (a) of section 10-16p, as amended by this act.

255 (c) The grants shall be used to:

256 (1) Help providers who are not accredited by the National
257 Association for the Education of Young Children to obtain such
258 accreditation;

259 (2) Help directors and administrators to obtain training;

260 (3) Provide comprehensive services, such as enhanced access to
261 health care, a health consultant, a mental health consultant, nutrition,
262 family support services, parent education, literacy and parental
263 involvement, and community and home outreach programs; and

264 provide information concerning access when needed to a speech and
265 language therapist;

266 (4) Purchase educational equipment;

267 (5) Provide scholarships for training to obtain a credential in early
268 childhood education or child development;

269 (6) Provide training for persons who are mentor teachers, as defined
270 in federal regulations for the Head Start program, and provide a
271 family service coordinator or a family service worker as such positions
272 are defined in such federal regulations;

273 (7) Repair fire, health and safety problems in existing facilities and
274 conduct minor remodeling to comply with the Americans with
275 Disabilities Act; train child care providers on injury and illness
276 prevention; and achieve compliance with national safety standards;

277 (8) Create a supportive network with family child care homes and
278 other providers of care for children;

279 (9) Provide for educational consultation and staff development;

280 (10) Provide for program quality assurance personnel;

281 (11) Provide technical assistance services to enable providers to
282 develop child care facilities pursuant to sections 17b-749g, 17b-749h
283 and 17b-749i;

284 (12) Establish a single point of entry system;

285 (13) Provide services that enhance the quality of programs to
286 maximize the health, safety and learning of children from birth to three
287 years of age, inclusive, including, but not limited to, those children
288 served by informal child care arrangements. Such grants may be used
289 for the improvement of staff to child ratios and interaction, initiatives
290 to promote staff retention, preliteracy development, parent
291 involvement, curriculum content and lesson plans.

292 (d) The commissioner may expend an amount not to exceed two per
293 cent of the amount appropriated for purposes of this section in a
294 manner consistent with the provisions of section 2 of this act.

295 Sec. 6. Section 17b-751b of the general statutes is repealed and the
296 following is substituted in lieu thereof (*Effective July 1, 2018*):

297 (a) The Commissioner of Early Childhood shall establish the
298 structure for a state-wide system for a Nurturing Families Network,
299 which demonstrates the benefits of preventive services by significantly
300 reducing the abuse and neglect of infants and by enhancing parent-
301 child relationships through hospital-based assessment with home
302 outreach follow-up on infants and their families within families
303 identified as high risk.

304 (b) The commissioner shall: (1) Develop the comprehensive risk
305 assessment to be used by the Nurturing Families Network's providers;
306 (2) develop the training program, standards, and protocols for the pilot
307 programs; and (3) develop, issue and evaluate requests for proposals
308 to procure the services required by this section. In evaluating the
309 proposals, the commissioner shall take into consideration the most
310 effective and consistent service delivery system allowing for the
311 continuation of current public and private programs.

312 (c) The commissioner shall establish a data system to enable the
313 programs to document the following information in a standard
314 manner: (1) The level of screening and assessment; (2) profiles of risk
315 and family demographics; (3) the incidence of child abuse and neglect;
316 (4) rates of child development; and (5) any other information the
317 commissioner deems appropriate.

318 (d) The commissioner shall report to the General Assembly, in
319 accordance with the provisions of section 11-4a, on the establishment,
320 implementation and progress of the Nurturing Families Network, on
321 July first of each year.

322 (e) The commissioner may expend an amount not to exceed two per

323 cent of the amount appropriated for purposes of this section in a
324 manner consistent with the provisions of section 2 of this act.

325 Sec. 7. Subsection (f) of section 8-210 of the 2018 supplement to the
326 general statutes is repealed and the following is substituted in lieu
327 thereof (*Effective July 1, 2018*):

328 (f) The Commissioner of Early Childhood may [, in his or her
329 discretion,] (1) with the approval of the Secretary of the Office of
330 Policy and Management, authorize the expenditure of such funds for
331 the purposes of this section as shall enable the Commissioner of Early
332 Childhood to apply for, qualify for and provide the state's share of
333 federally assisted child care services, and (2) expend an amount not to
334 exceed two per cent of the amount appropriated for purposes of this
335 section in a manner consistent with the provisions of section 2 of this
336 act.

337 Sec. 8. Subdivision (1) of subsection (b) of section 10-16q of the
338 general statutes is repealed and the following is substituted in lieu
339 thereof (*Effective July 1, 2018*):

340 (b) (1) For the fiscal year ending June 30, [2015, and each fiscal year
341 thereafter, the per child cost of the Office of Early Childhood school
342 readiness program offered by a school readiness provider shall not
343 exceed eight thousand nine hundred twenty-seven dollars] 2019, and
344 each fiscal year thereafter, the Commissioner of Early Childhood shall
345 conduct a review of rates for the school readiness program at least
346 once every three years. Such review shall examine the rates being used
347 in child day care contracts. The commissioner may establish, within
348 available appropriations, new rates based on the results of such
349 review, provided such new rates are established to improve program
350 quality and access.

351 Sec. 9. Subdivision (2) of subsection (e) of section 10-16p of the 2018
352 supplement to the general statutes is repealed and the following is
353 substituted in lieu thereof (*Effective July 1, 2018*):

354 (2) (A) If funds appropriated for the purposes of subsection (c) of
355 this section are not expended, the commissioner may deposit such
356 unexpended funds in the account established under section 10-16aa
357 and use such unexpended funds in accordance with the provisions of
358 section 10-16aa.

359 (B) For the fiscal year ending June 30, 2015, and each fiscal year
360 thereafter, if funds appropriated for the purposes of subsection (c) of
361 this section are not expended, an amount up to one million dollars of
362 such unexpended funds may be available for the provision of
363 professional development for early childhood care and education
364 program providers, and staff employed in such programs, provided
365 such programs accept state funds for infant, toddler and preschool
366 slots. Such unexpended funds may be available for use in accordance
367 with the provisions of this subparagraph for the subsequent fiscal year.
368 The commissioner may use such unexpended funds on and after July
369 1, 2015, to support early childhood education programs accepting state
370 funds in satisfying the staff qualifications requirements of
371 subparagraphs (B) and (C) of subdivision (2) of subsection (b) of this
372 section. The commissioner shall use any such funds to provide
373 assistance to individual staff members, giving priority to those staff
374 members (i) attending an institution of higher education accredited by
375 the Board of Regents for Higher Education or the Office of Higher
376 Education, and approved by the Office of Early Childhood, and
377 regionally accredited, at a maximum of ten thousand dollars per staff
378 member per year for the cost of higher education courses leading to a
379 bachelor's degree or, not later than December 31, 2015, an associate
380 degree, as such degrees are described in said subparagraphs (B) and
381 (C), or (ii) receiving noncredit competency-based training approved by
382 the office, at a maximum of one thousand dollars per staff member per
383 year, provided such staff members have applied for all available
384 federal and state scholarships and grants, and such assistance does not
385 exceed such staff members' financial need. Individual staff members
386 shall apply for such unexpended funds in a manner determined by the
387 commissioner. The commissioner shall determine how such

388 unexpended funds shall be distributed.

389 (C) If funds appropriated for the purposes of subsection (c) of this
 390 section are not expended pursuant to subsection (c) of this section,
 391 deposited pursuant to subparagraph (A) of this subdivision, or used
 392 pursuant to subparagraph (B) of this subdivision, the commissioner
 393 may use such unexpended funds to support local school readiness
 394 programs. The commissioner may use such funds for purposes
 395 including, but not limited to, (i) assisting local school readiness
 396 programs in meeting and maintaining accreditation requirements, (ii)
 397 providing training in implementing the preschool assessment and
 398 curriculum frameworks, including training to enhance literacy
 399 teaching skills, (iii) developing a state-wide preschool curriculum, (iv)
 400 developing student assessments for students in grades kindergarten to
 401 two, inclusive, (v) developing and implementing best practices for
 402 parents in supporting preschool and kindergarten student learning,
 403 (vi) developing and implementing strategies for children to
 404 successfully transition to preschool and from preschool to
 405 kindergarten, including through parental engagement and whole-
 406 family supports that may be utilized through the two-generational
 407 initiative, established pursuant to section 17b-112l, or through other
 408 available resources, (vii) providing for professional development,
 409 including assisting in career ladder advancement, for school readiness
 410 staff, (viii) providing supplemental grants to other towns that are
 411 eligible for grants pursuant to subsection (c) of this section, and (ix)
 412 developing a plan to provide spaces in an accredited school readiness
 413 program or a school readiness program seeking accreditation to all
 414 eligible children who reside in an area or town described in
 415 subparagraphs (A) to (D), inclusive, of subdivision (1) of subsection (d)
 416 of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2018	10-500(b)
Sec. 2	July 1, 2018	New section
Sec. 3	July 1, 2018	17b-749

Sec. 4	<i>July 1, 2018</i>	10-16p(k)
Sec. 5	<i>July 1, 2018</i>	17b-749c
Sec. 6	<i>July 1, 2018</i>	17b-751b
Sec. 7	<i>July 1, 2018</i>	8-210(f)
Sec. 8	<i>July 1, 2018</i>	10-16q(b)(1)
Sec. 9	<i>July 1, 2018</i>	10-16p(e)(2)

Statement of Purpose:

To authorize the Commissioner of Early Childhood to retain up to two per cent of certain appropriations for the purpose of evaluating and improving child care programs, to revise state law to be in compliance with federal law, to authorize the commissioner to review and establish rates for school readiness programs, and to expand the use of unexpended school readiness funds to assist in services for children transitioning into preschool and from preschool to kindergarten.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]